

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CURTIS A. WEATHERS,)	
)	
Petitioner,)	
)	
v.)	No. 1:20-cv-00244-TWP-DLP
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	


Order Dismissing Action Without Prejudice

Petitioner Curtis A. Weathers file a letter which was treated as a motion pursuant to 28 U.S.C. § 2255. Dkt. 1. Consistent with this Court's General Order, counsel was appointed to consider Mr. Weather's claim for relief. Dkt. 3. Counsel considered the claim and then withdrew. Dkt. 11. The Petitioner was then given a period of time in which to either withdraw his § 2255 motion or to file an amended § 2255 motion. Dkts. 12 and 15. He was instructed that the pending motion does not provide any basis upon which this Court could conclude that he is entitled to any relief and that the failure to file an Amended § 2255 Motion by the deadline would result in the dismissal of this action without prejudice. Dkt. 12. The time to file an Amended § 2255 Motion was extended, dkt 15, but this deadline has passed without the filing of an Amended § 2255 Motion.

Accordingly, Mr. Weather's motion for relief pursuant to § 2255 is **DENIED** and this action is dismissed without prejudice. Judgment consistent with this Entry shall now issue and the Clerk shall **docket a copy of this Entry in No. 1:17-cr-41-TWP-TAB-1**. The motion to vacate (Crim. Dkt. 47) shall also be **terminated** in the underlying criminal action.

IT IS SO ORDERED.

Date: 8/19/2020



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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